

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JENNIFER J. GILSON,

Plaintiff,

v.

CAROLYN COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. C13-5237 RJB

ORDER ON REPORT AND
RECOMMENDATION

This matter comes before the court on Magistrate Judge Karen Strombom's Report and Recommendation (Dkt. 25) regarding judicial review of Defendant's denial of Plaintiff's applications for disability insurance and supplemental security income (SSI) benefits. The court has reviewed the filings and the remainder of the record herein.

On April 9, 2014, Magistrate Judge Strombom issued a Report and Recommendation, recommending that the Defendant's decision to deny benefits be reversed and this matter be remanded to the Administrative Law Judge (ALJ) for further administrative proceedings. Dkt. 25. Judge Strombom reasoned that remand was warranted because (1) the ALJ erred in finding

1 that Dr. Neim's findings were inconsistent, (2) the ALJ erred by providing non-germane reasons
2 for rejecting statement by Plaintiff's mother, and (3) the ALJ's determination in step four of the
3 analysis is unsupported by the substantial evidence in the record. *Id.* The parties were given
4 fourteen days, or until April 23, 2014, to file their objections. *Id.* at 13.

5 As of April 23, 2014, neither party had objected. The court should reverse Defendant's
6 decision to deny benefits and remand this matter to the ALJ for further administrative
7 proceedings.

8 Accordingly, it is hereby **ORDERED** that:

- 9 1. The Report and Recommendation (Dkt. 25) is **ADOPTED**.
10 2. Defendant's decision to deny benefits is **REVERSED**.
11 3. This matter is **REMANDED** to the Administrative Law Judge for further
12 administrative proceedings.

13 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
14 to any party appearing *pro se* at said party's last known address.

15 Dated this 28th day of April, 2014.

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18 ROBERT J. BRYAN
19 United States District Judge
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